

08-28-08

11m DAE

PTO/SB/64 (08-08)

Approved for use through 08/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Joseph J. SpranzaApplication No.: 10/697-444Art Unit: 3763Filed: 10/29/03

Examiner:

Title: Safe Trochar with Guide for
Placement of Surgical DrainsChristopher Koharski

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 770⁰⁰ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of _____ (identify type of reply):

☐
☐

has been filed previously on
is enclosed herewith.

08/28/2008 LTRUONG 00000026 1069744401 FC:2453770.00 0P

B. The issue fee and publication fee (if applicable) of \$ _____

☐
☐

has been paid previously on
is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Susan Spranza
Signature

8/26/08
Date

SUSAN SPRANZA
Typed or printed name

Registration Number, if applicable

12493 Old ROUGH & READY HWY
Address

916/300-1320
Telephone Number

GRASS VALLEY, CA 95945
Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

AUGUST 26, 2008
Date

Susan Spranza
Signature
SUSAN SPRANZA
Typed or printed name of person signing certificate



Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



August 25, 2008

Commissioner of Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 20213

Dear Sir:

We acknowledge that the Continuation-in-Part application for "Safety Guide for Surgical Placement of Sharp Instruments" Serial No. 10/697,444 has been abandoned.

It is our intention to revive this application; however, the last office action is directed to claims 1-8 which were previously cancelled by our letter dated April 24, 2006. That letter included an attachment with new claims 9-26 substituted for those cancelled claims. That letter and its attachment are enclosed.

It appears that the Patent office does not have this letter of April 24, 2006 and its attachment. Enclosed is a copy of a returned postcard dated on or about 4/24/06 showing that the above mentioned letter was sent to and received by the Patent Office.

In revival of an abandoned application any outstanding Office Action must be responded to, but the wrong claims have been rejected by the Patent Office, therefore, either a new Office Action is required for claims 9-26 or we need to revive without responding to the Office Action.

We are requesting any action not be made final, as we will need to respond to any new office action.

A letter of request for Standing, as wife of my deceased husband Joseph John Spranza III, is enclosed herewith.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan M. Spranza".

Susan M. Spranza,
Widow of Joseph John Spranza III
12493 Old Rough and Ready Hwy
Grass Valley, CA 95945
Phone: 916/300-1320



In The United States Patent and Trademark Office

Mailed on April 24, 2006

Assistant Commissioner for Patents

Washington, District of Columbia 20231

Sir:

Please file the following enclosed patent application papers:

Applicant #1 Name. Joseph J. Spranza

Applicant #2 Name Robert S. Namba

Title: Safe Trochar with Guide for Placement of Surgical Drains

This is a Continuation in Part application for

“Safety Guide for Surgical Placement of Sharp Instruments”,

Originally filed October 26, 2000

Serial Number 09/697-463, issued as Patent Number 6,613,039

Divisional Application filed July 03, 2003, Serial Number 10/613'387

Please cancel all Claims (numbers 1 through 8) and substitute the enclosed new Claims (numbers 9 through 26).

These new Claims have been mailed before the First Office Action.

Yours respectfully,

Joseph J. Spranza

12493 Old Rough and Ready Hwy.

Grass Valley, CA 95945

Robert S. Namba

321 Milford Dr.

Corona del Mar, CA 92625

Mail Label

Date of Deposit April 24, 2006

Signed

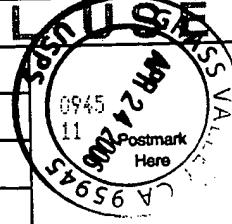
7005 2570 0000 5238 1203

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OFFICIAL USE

| | |
|---|---------|
| Postage | \$ 0.63 |
| Certified Fee | \$2.40 |
| Return Receipt Fee (Endorsement Required) | \$1.85 |
| Restricted Delivery Fee (Endorsement Required) | \$0.00 |
| Total Postage & Fees | \$ 4.88 |



04/24/2006

| | |
|------------------------------------|-----------------------|
| Sent To | Assistant Comptroller |
| Street, Apt. No., or PO Box No. | |
| City, State, ZIP+4 | Washington DC 20231 |

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Assistant Commissioner
US for Patents
PO #145P
Washington, DC
22313
Alexandria, VA 22237*

2. Article Number

7005 2570 0000 5238 1203

(Transfer from service card)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail

☐ Express Mail

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☐ Insured Mail

☐ C.O.D.

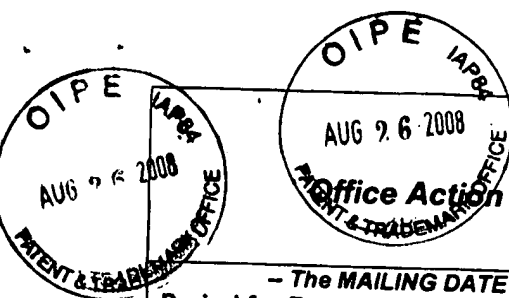
4. Restricted Delivery? (Extra Fee)

☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



AUG 26 2008

Office Action Summary

Application No.

10/697,444

Applicant(s)

SPRANZA ET AL.

Examiner

LoAn H. Thanh

Art Unit

3763

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/697,444 | 10/29/2003 | Joseph J. Spranza | | 7974 |

7590 07/09/2007
Joseph J. Spranza
12493 Old Rough and Ready Hwy.
Grass Valley, CA 95945

| |
|----------|
| EXAMINER |
|----------|

THANH, LOAN H

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

3763

| | |
|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

07/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: It is the Examiner's position that Applicant has evoked sixth paragraph, means-plus-function language to define Applicant's invention. Therefore the Examiner requires the Applicant to amend the specification pursuant to 37 CFR 1.75(d) and MPEP 608.01(o) to explicitly state, with reference to the terms and phrases of the claim element, what structure, materials, and acts perform the function recited in the claim element. Please note that the MPEP clearly states, "Even if the disclosure implicitly sets forth the structure, materials, or acts corresponding to the means-(or step-) plus-function claim element in compliance with 35 U.S.C. 112, first and second paragraphs, the PTO may still require the applicant to amend the specification pursuant to 37 CFR 1.75(d) and MPEP 608.01(o)...". (Also see **MPEP 2181** (Rev. 1, Feb.2000)) *Wolfensperger*, 302 F.2d at 955, 133 USPQ at 542.

Appropriate correction is required.

Claim Objections

Claims 1-6,8 are objected to because of the following informalities: It is the Examiner's position that Applicant has evoked sixth paragraph, means-plus-function language to define Applicant's invention. Therefore the Examiner has objected to the claims for the reasons set forth above in the objection to the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6, 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is vague and indefinite because it is unclear whether applicant is intending to positively claim the indexing means since it is a part of the functional limitation. For purposes of art rejection, the indexing means is not considered positively claimed.

Claim 6 is vague and indefinite because it is unclear what applicant is intending to claim. There are no further limitations and the claim appears to be incomplete. (For example, "wherein said" in line 1 of the claim ends abruptly) .

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Villegas (US 2581564).

Villegas discloses a surgical trochar/device having an elongated rod having a sharp end at the distal end thereof and a second with means to connect to a tube and the second having a recess (shown in figures 1-5). The rod is considered bent as shown in figures 4-5.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Fukuda (US 4,345,604).

With respect to claims 1-6,8, Fukuda discloses an elongate rod 13 having a sharp end and second end with a recess and means to connect a tube 11. the rod is bent and a sheath 15 provides a covering for the sharp point. The sheath locking means is considered the tapered lumen at 16 which holds the rod. See figures 1-5, 9-13. With respect to the method claim 8, the sheath provides protection to the surgery personnel.

With respect to claim 7, the guide is considered shown figure 8. The device has a receiver at one end and a second end attached to the arm 27 or the holder 18 is attached to the second end. As shown in figure 1 .

The Examiner has interpreted the claim limitation in the broadest interpretation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LoAn H. Thanh whose telephone number is (571) 272-4966. The examiner can normally be reached on Mon-Fri (first Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas Lucchesi can be reached on (571) 272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LoAn H. Thanh/

LoAn H. Thanh
Primary Examiner
Art Unit 3763

LT



July 31, 2008

U.S. Patent and Trademark Office
Commissioner of Patent and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner of Patent and Trademarks:

I am requesting Standing. My husbands name was Joseph J. Spranza III.

Joe had several patent and patent applications. The specific issue I am presently working on is application # 10/697,444. I believe this is a Continuation in Part to patent # 9.697.463. The Continuation in Part is referred to as Safe Trochar with Guide for Placement of Surgical Drains.

These application needs to be revived and I understand that I need standing in order to do this.

I have enclosed the Court Order signed and given to me by the federal Judge and in this instance referred to as Saf-Trochar, also, a copy of Joe's Death Certificate.

If you need any additional information please advise me as soon as possible, as I am working on the revival paperwork as we write.

Thank you,

Susan Spranza
12493 Old Rough and Ready Hwy
Grass Valley, California 95945

Phone 916/300-1320
Or Phone 530/273-1987

Enclosed 3pages



2004-25484
FILED
April 01, 2008
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
0001147089

2 Michael F. Burkart, Chapter 7 Trustee
5150 Fair Oaks Blvd., #101-185
Carmichael, CA 95608
Tel: (916) 485-0412
E-mail: burkart@cwo.com

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:

JOSEPH J. SPRANZA,

Debtor.

Case No. 04-25484-A-7

DCN: MFB - 6

DATE: March 31, 2008

TIME: 9:00 A.M.

DEPT: A

COURTROOM: 28 (7th Floor)

ORDER ON TRUSTEE'S MOTION TO APPROVE A DISTRIBUTION IN KIND
TO THE SOLE REMAINING CREDITOR

The Motion of Michael F. Burkart, being the duly appointed Chapter 7 Trustee (the "Trustee") in the above-captioned case of Joseph J. Spranza (the "Debtor"), requesting an order authorizing the distribution in kind concerning the personal property held under the Bankruptcy Estate, was heard pursuant to this Court's regular Law and Motion calendar on March 31, 2008. The Trustee appeared on his own behalf at the hearing. Other appearances were noted on the record.

There was no opposition filed nor argued at the hearing with regard to the Trustee's Motion requesting an authorization of the distribution in kind of the remaining Personal Property.

The Court, having duly considered the Trustee's Motion and the Court's file herein, and good cause appearing therefor, ordered as follows:

IT IS HEREBY ORDERED THAT:

A. The Trustee's Motion for an order authorizing the distribution in kind concerning the remaining Personal Property held under the Bankruptcy Estate is granted.

RECEIVED
April 01, 2008
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
0001147089

1 B. The Trustee is authorized to distribute the remaining Personal Property of the Estate to
2 Susan Spranza as provided under Proof of Claim No. 8, filed on January 24, 2008.

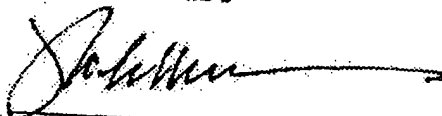
3 C. Immediately upon entry of this order, the following described Personal Property of the
4 Estate shall be distributed in kind to Susan Spranza:

- 5 • Stock ownership in Special Devices, Inc.(SDI)
- 6 • Special Devices owes past due wages
- 7 • Special Devices owes personal loans
- 8 • Misc. Patents:
 - 9 a) Personal patent (promised to be assigned to SDI) – Flexi
 - 10 b) Shared patent (promised to be assigned to SDI) – AFRS, TOB
 - 11 c) Co-owned (licensed to SDI) - Safe Trochar
 - 12 d) 3rd party ownership (licensed to SDI) - Bone Biopsy
 - 13 e) Patent application (to be assigned to SDI) – Trepine
- 14 • 1980 Rolls Royce Camargue
- 15 • Moto Guzzi motorcycle
- 16 • 1957 Alfa Romeo Spider
- 17 • 1980 Maserati Quattro Porte
- 18 • 1991 Chrysler TC
- 19 • Misc. equipment used exclusively by SDI

20 D. The Trustee is authorized to execute any and all documents necessary to complete the
21 distribution of the remaining Personal Property of the Estate.

22 Dated: 01 April, 2008

23 By the Court

24 
25 Michael S. McManus, Chief Judge
26 United States Bankruptcy Court

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF PLACER

Auburn, California 95603

CERTIFICATE OF DEATH

3200731001533

| | | | |
|--|--|--|--|
| STATE FILE NUMBER | | LOCAL REGISTRATION NUMBER | |
| 1. NAME OF DECEDENT — FIRST (Given) | | 3. MIDDLE | |
| JOSEPH | | JOHN | |
| 4. DATE OF BIRTH | | 5. AGE Yrs. | |
| 05/28/1938 | | 69 | |
| 6. SEX | | 7. DATE OF DEATH | |
| M | | 07/09/2007 | |
| 8. HOUR (24 Hours) | | 9. TIME | |
| 0115 | | | |
| 10. BIRTH STATE/FOREIGN COUNTRY | | 11. EVER IN U.S. ARMED FORCES? | |
| NJ | | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK <input type="checkbox"/> | |
| 12. MARITAL STATUS (at Time of Death) | | 13. DECEASED'S RACE — Up to 3 races may be listed (See instructions on back) | |
| MARRIED | | WHITE | |
| 14. EDUCATION — Highest Level (See instructions on back) | | 15. DECEASED'S RACE — Up to 3 races may be listed (See instructions on back) | |
| DOCTORATE | | WHITE | |
| 16. USUAL OCCUPATION — Type of work for most of life. DO NOT USE RETIRED | | 17. YEARS IN OCCUPATION | |
| DEVELOPER | | 45 | |
| 18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.) | | 19. YEARS IN BUSINESS | |
| MEDICAL INSTRUMENTS | | | |
| 20. DECEASED'S RESIDENCE (Street and number or location) | | | |
| 12493 OLD ROUGH AND READY HIGHWAY | | | |
| 21. CITY | | 22. COUNTY/PROVINCE | |
| GRASS VALLEY | | NEVADA | |
| 23. ZIP CODE | | 24. YEARS IN COUNTY | |
| 95945 | | 19 | |
| 25. STATE/FOREIGN COUNTRY | | 26. DECEASED'S MARRIAGE | |
| CALIFORNIA | | MARRIED | |
| 27. INFORMANT'S NAME, RELATIONSHIP | | 28. INFORMANT'S MAILING ADDRESS (Street and number or rural route number, city or town, state, ZIP) | |
| SUSAN SPRANZA, WIFE | | 12493 OLD ROUGH & READY HWY, GRASS VALLEY, CA 95945 | |
| 29. NAME OF SURVIVING SPOUSE — FIRST | | 30. LAST (Maiden Name) | |
| SUSAN | | ILLGEN | |
| 31. NAME OF FATHER — FIRST | | 32. MIDDLE | |
| JOSEPH | | JOHN | |
| 33. LAST | | 34. BIRTH STATE | |
| SPRANZA JR | | NJ | |
| 35. NAME OF MOTHER — FIRST | | 36. MIDDLE | |
| ELIZABETH | | DROST | |
| 37. LAST (Maiden) | | 38. BIRTH STATE | |
| DROST | | NJ | |
| 39. DISPOSITION DATE | | 40. PLACE OF FINAL DISPOSITION | |
| 07/15/2007 | | UCSF WILLED BODY PROGRAM 513 PARNASSUS, SAN FRANCISCO, CA 94143-0902 | |
| 41. TYPE OF DISPOSITION | | 42. SIGNATURE OF EMBALMER | |
| SU | | NOT EMBALMED | |
| 43. NAME OF FUNERAL ESTABLISHMENT | | 44. LICENSE NUMBER | |
| UCSF WILLED BODY PROGRAM | | NONE | |
| 45. SIGNATURE OF LOCAL REGISTRAR | | 46. DATE | |
| RICHARD J. BURTON, MD | | 07/12/2007 | |
| 47. PLACE OF DEATH | | 48. IF HOSPITAL, SPECIFY ONE | |
| SUTTER AUBURN FAITH HOSPITAL | | X <input checked="" type="checkbox"/> HOSPITAL <input type="checkbox"/> HOME <input type="checkbox"/> OTHER <input type="checkbox"/> | |
| 49. CITY | | 50. IF OTHER THAN HOSPITAL, SPECIFY ONE | |
| AUBURN | | HOSPITAL <input type="checkbox"/> HOME <input type="checkbox"/> OTHER <input type="checkbox"/> | |
| 51. COUNTY | | 52. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number or location) | |
| PLACER | | 11815 EDUCATION ST | |
| 53. CAUSE OF DEATH | | 54. IF DEATH REPORTED TO CORONER | |
| IMMEDIATE CAUSE (Final disease or condition resulting in death) | | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | |
| METASTATIC CANCER OF UNKNOWN PRIMARY | | WEEK | |
| 55. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 53 | | 56. SIGNATURE OF CORONER / DEPUTY CORONER | |
| RENAL FAILURE, LIVER FAILURE | | | |
| 57. IF OPERATION PERFORMED FOR ANY CONDITION IN 53 OR 54, TYPE OF OPERATION AND DATE | | 58. IF FEMALE, PREGNANT IN LAST YEAR | |
| CT LIVER BIOPSY 06/15/2007 | | YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/> | |
| 59. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED | | 60. LICENSE NUMBER | |
| 61. SIGNATURE AND TITLE OF CERTIFIER | | 62. DATE | |
| LARS JAKOB JAKOBSEN M.D. | | 07/12/2007 | |
| 63. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE | | 64. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE | |
| LARS JAKOB JAKOBSEN M.D. | | LARS JAKOB JAKOBSEN M.D. | |
| 65. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED | | 66. INJURED AT WORK? | |
| 67. MANNER OF DEATH | | YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/> | |
| 68. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.) | | 69. INJURY DATE | |
| 69. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury) | | 70. HOUR (24 Hours) | |
| 71. LOCATION OF INJURY (Street and number, or location, and city, and ZIP) | | 72. SIGNATURE OF CORONER / DEPUTY CORONER | |
| 73. SIGNATURE OF CORONER / DEPUTY CORONER | | 74. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
| 75. DATE | | 76. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
| 77. SIGNATURE OF CORONER / DEPUTY CORONER | | 78. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
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| 89. SIGNATURE OF CORONER / DEPUTY CORONER | | 90. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
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| 93. SIGNATURE OF CORONER / DEPUTY CORONER | | 94. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
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| 97. SIGNATURE OF CORONER / DEPUTY CORONER | | 98. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
| 99. DATE | | 100. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
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| 103. DATE | | 104. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
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| 191. DATE | | 192. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |
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| 199. DATE | | 200. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | |

CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA
COUNTY OF PLACER

SS DATE ISSUED

07/24/2007



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Richard J. Burton, M.D.
HEALTH OFFICER AND LOCAL REGISTRAR